Please post in a conspicuous place. Date Posted: compliance with required State and Federal posting requirements at least once a year.

#### FEDERAL MINIMUM WAGE FOR CONTRACTORS

**WORKER RIGHTS UNDER EXECUTIVE ORDER 14026** 

FEDERAL MINIMUM WAGE FOR CONTRACTORS

\$15.00 PER HOUR

The law requires certain federal contractors to display this poster where employees can easily see it. MINIMUM WAGE Executive Order 14026 (EO) requires that federal contractors pay workers performing work

on or in connection with covered contracts at least (1) \$15.00 per hour beginning January 30, 2022, and (2) beginning January 1, 2023, and every year thereafter, an inflation-adjusted amount determined by the Secretary of Labor in accordance with the EO and appropriate regulations. The EO hourly minimum wage in effect from January 30, 2022 through December 31, 2022 is \$15.00. TIPS Covered tipped employees must be paid a cash wage of at least \$10.50 per hour effective January 30, 2022 through December 31, 2022. If a worker's tips combined with the required cash wage of at least \$10.50 per hour

paid by the contractor do not equal the EO hourly minimum wage for contractors, the contractor must increase the cash wage paid to make up the difference. Certain other conditions must also be met.

· The EO minimum wage may not apply to some workers who provide support "in connection with" covered contracts for less than 20 percent of their hours worked in a week.

The EO minimum wage may not apply to certain other occupations and workers.

OFCCP

ENFORCEMENT The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing this law. WHD can answer questions about your workplace rights and protections, investigate employers,

and recover back wages. All WHD services are free and confidential. Employers cannot retaliate or discriminate against someone who files a complaint or participates in an investigation. WHD will accept a complaint in any language. You can find your nearest WHD office at www.dol.gov/whdllocal or by calling tollfree 1-866-4US-WAGE (1-866-487-9243). We do not ask workers about their immigration status. We can help. **ADDITIONAL INFORMATION** 

• The EO applies only to new federal construction and service contracts, as defined by the Secretary in the regulations at 29 CFR part 23.

· Workers with disabilities whose wages are governed by special certificates issued under section 14(c) of the Fair Labor Standards Act must also receive no less than the full EO minimum wage rate. · Some state or local laws may provide greater worker protections; employers must comply with both.

More information about the EO is available at: www.dol.gov/agencieslwhdlgovernment-contractsleo14026

SI USTED TIENE DERECHO A TRABAJAR

NO DEJE QUE NADIE SE LO QUITE

i usted dispone de las capacidades, experiencia y derecho legal a trabajar, su estatus

una parte de las leyes migratorias de los EE. UU. que protegen a los trabajadores que cuentan

con la debida autorización legal para trabajar de la discriminación por motivos de su estatus

de ciudadanía o nacionalidad de origen. Puede consultar esta ley contenida en la Sección 1324b del Título 8 del Código de los EE. UU. Es posible que la Sección de Derechos de

<u>Inmigrantes y Empleados</u> (IER, por sus siglas en inglés) pueda ayudar si un empleador lo

trata de una forma injusta, en contra de esta ley. La ley que hace cumplir la IER es la Sección

1324b del Título 8 del Código de los EE. UU. Los reglamentos de dicha ley se encuentran en la

Parte 44 del Título 28 del Código de Reglamentos Federales. Llame a la IER si un empleador:

No lo contrata o lo despide a causa de su nacionalidad de origen o estatus de ciudadanía (esto

podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del

Título 8 del Código de los EE. UU.) Lo trata de una manera injusta a la forma de comprobar su

derecho a trabajar en los EE. UU., incluyendo al completar el Formulario I-9 o utilizar E-Verify

(esto podría representar una vulneración de la ley contenida en la Sección 1324b(a)(1) o (a)

(6) del Título 8 del Código de los EE. UU.) Toma represalias en su contra por haber defendido

su derecho a trabajar al amparo de esta ley (la ley prohíbe las represalias, según se indica en

la Sección 1324b(a)(5) del Título 8 del Código de los EE. UU.) Esta ley puede ser complicada.

Llame a la IER para más información sobre las protecciones existentes contra la discriminación

Sección de Derechos de Inmigrantes y Empleados (IER)

Departamento de Justicia de los EE. UU., División de Derechos Civiles, Sección de Derechos

migratorio o de ciudadanía no debe representar un obstáculo, ni tampoco lo debe ser

el lugar en que usted nació o ningún otro aspecto de su nacionalidad de origen. Existe



WAGE AND HOUR DIVISION **1-866-487-9243** TTY: 1-877-889-5627



#### PAY TRANSPARENCY

#### PAY TRANSPARENCY NONDISCRIMINATION PROVISION

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c)

> If you believe that you have experienced discrimination contact OFCCP 1.800.397.6251 TTY 1.877.889.5627 www.dol.gov/ofccp 200 CONSTITUTION AVENUE NW | WASHINGTON, DC 20210 | tel: 1-800-397-6251 | TTY: 1-877-889-5627 | www.dol.gov/ofccp

#### RIGHT TO WORK



#### IF YOU HAVE THE RIGHT TO WORK DON'T LET ANYONE TAKE IT AWAY

f you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at 8 U.S.C. § 1324b. The Immigrant and Employee Rights Section (IER) may be able to help if an employer treats you unfairly in violation of this law. The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44. Call IER if an employer: Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1)) Treats you unfairly while checking your right to work in the U.S., including while completing the Form I-9 or using **E-Verify** (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6)) Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5)) The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

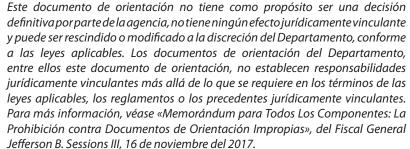
#### **Immigrant and Employee Rights Section (IER)**

1-800-255-7688 TTY 1-800-237-2515 <u>www.justice.gov/ier</u> <u>IER@usdoj.gov</u>

U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights

This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.





**1-800-255-7688 TTY 1-800-237-2515** <u>www.justice.gov/ier</u>

por motivos del estatus de ciudadanía o la nacionalidad de origen.

de Inmigrantes y Empleados, enero del 2019





## NATIONAL LABOR RELATIONS ACT

# **EMPLOYEE RIGHTS**

# **UNDER THE NATIONAL LABOR RELATIONS ACT**

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA\* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

# **Under the NLRA**, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union. Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages,

Section, January 2019

- benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

# **Under the NLRA**, it is illegal for your employer to:

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

#### Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:

- Threaten you that you will lose your job unless you support
- Refuse to process a grievance because you have criticized
- union officials or because you are not a member of the union. • Use or maintain discriminatory standards or procedures in
- making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.
- Take other adverse action against you based on whether you have joined or support the union.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

**Illegal conduct will not be permitted.** If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: **www.nlrb.gov**.

You can also contact the NLRB by calling toll-free: 1-844-762-NLRB (6572). Hearing impaired callers who wish to speak to an NLRB representative should contact the Federal Relay Service by visiting its website at <a href="https://www.federalrelay.us/tty">https://www.federalrelay.us/tty</a>, calling one of its toll free numbers, and asking its Communications Assistant to call the NLRB toll free number at 1-844-762-NLRB (6572).

\*The National Labor Relations Act covers most private-sector employers. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).

This is an official Government Notice and must not be defaced by anyone.



**U.S. Department of Labor** 

#### WALSH-HEALEY PUBLIC CONTRACTS ACT

### **EMPLOYEE RIGHTS ON GOVERNMENT CONTRACTS**

THIS ESTABLISHMENT IS PERFORMING GOVERNMENT CONTRACT WORK SUBJECT TO: (CHECK ONE)

**PUBLIC CONTRACTS ACT (PCA) SERVICE CONTRACT ACT (SCA)** 

MINIMUM WAGES Your rate must be no less than the Federal minimum wage established by the Fair **ENFORCEMENT** Specific DOL agencies are responsible for the administration of these laws. To file a Labor Standards Act (FLSA). A higher rate may be required for SCA contracts if a wage determination complaint or obtain information, contact the Wage and Hour Division (WHD) by calling its toll-free

> Contact the Occupational Safety and Health Administration (OSHA) by calling 1-800-321-OSHA (1-800-321-6742), or visit **www.osha.gov** 1-866-487-9243

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help line at 1-866-4-USWAGE (1-866-487-9243), or visit www.dol.gov/whd



must be furnished the fringe benefits, which the Secretary of Labor has determined to be prevailing in the locality for the classification in which the employee is working or the wage rates and fringe benefits (including any accrued or prospective wage rates and fringe benefits) contained in a predecessor contractor's collective bargaining agreement. The wage rates and fringe benefits required are usually specified in the contract but in no case may employees doing work necessary for the performance of the contract be paid less than the minimum wage established in section 6(a)(1) of the Fair Labor

work under a service contract in excess of \$2,500 must be paid not less than the monetary wages, and

Service contracts which do not exceed \$2,500 are not subject to prevailing rate determinations or to the safety and health requirements of the act. However, the act does require that employees performing work on such contracts be paid not less than the minimum wage rate established in section 6(a)(1) of the Fair Labor Standards Act

Overtime — The Fair Labor Standards Act and the Contract Work Hours Safety Standards Act may require the payment of overtime at time and one-half the regular rate of pay for all hours work on the contract in excess of 40 a week. The Contract Work Hours Safety Standards Act is more limited in scope than the Fair Labor Standards Act and generally applies to Government contracts in excess of \$100,000 that require or involve the employment of laborers, mechanics, guards, watchmen. Safety and Health — The act provides that no part of the services in contracts in excess of \$2,500 may be performed in buildings or surroundings or under working conditions, provided by or under

the control or supervision of the contractor or subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services. The safety and health provisions of the Service Contract Act are administered by the Occupational Safety and Health **Notice to Employees** — On the date a service employee commences work on a contract in excess of \$2,500, the contractor (or subcontractor) must provide the employee with a notice of the compensation required by the act. The posting of the notice (including any applicable wage determination) contained

on the reverse in a location where it may be seen by all employees performing on the contract will satisfy this requirement. Notice in Subcontracts — The contractor is required to insert in all subcontracts the labor standards clauses specified by the regulations in 29 CFR Part 4 for Federal service contracts exceeding \$2,500.

esponsibility for Secondary Contractors — Prime contractors are liable for violations of the act committed by their covered secondary contractors. Other Obligations — Observance of the labor standards of these acts does not relieve the employer of any obligation he may have under any other laws or agreements providing for higher labor standards.

ditional Information — Additional Information and copies of the acts and applicable regulations and interpretations may be obtained from the nearest office of the Wage and Hour Division or the National Office in Washington D.C. Information pertaining to safety and health standards may be obtained from the nearest office of the Occupational Safety and Health Administration or the National Office in Washington, D.C. WH1313 REV 04/09

### PAID SICK LEAVE FOR FEDERAL CONTRACTORS

# **WORKER RIGHTS UNDER EXECUTIVE ORDER 13706**

#### PAID SICK LEAVE FOR FEDERAL CONTRACTORS ONE HOUR OF PAID SICK LEAVE FOR EVERY 30 HOURS WORKED, UP TO 56 HOURS EACH YEAR

PAID SICK LEAVE Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, requires unable to file a complaint in English, WHD will accept the complaint in any language. The law prohibits certain employers that contract with the Federal Government to provide employees working on or in discriminating against or discharging workers who file a complaint or participate in any proceeding connection with those contracts with 1 hour of paid sick leave for every 30 hours they work—up to 56 under the Executive Order. ours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness injury, or other health-related needs, including preventive care; to assist a family member who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member who is the victim of, domestic violence, sexual assault, or stalking. Employers are required to inform employees of their paid sick leave balances and must approve all valid requests to use paid sick

leave. Rules about when and how employees should ask to use paid sick leave also apply. More information

applies. Such wage determination will be posted as an attachment to this notice.

CHILD LABOR No person under 16 years of age may be employed on a PCA contract.

Public Contracts Act or the Service Contract Act of the principal provisions of these acts.

equivalent). PCA contracts do not require fringe benefits.

week. There are some exceptions.

dangerous to employees' health and safety.

Walsh-Healey Public Contracts Act

is performed.

of employment

**Service Contract Act** 

FRINGE BENEFITS SCA wage determinations may require fringe benefit payments (or a cash

OVERTIME PAY You must be paid 1.5 times your basic rate of pay for all hours worked over 40 in a

SAFETY & HEALTH Work must be performed under conditions that are sanitary, and not hazardous or

The purpose of the discussion below is to advise contractors which are subject to the Walsh-Healey

General Provisions — This act applies to contracts which exceed or may exceed \$10,000 entered into by

any agency or instrumentality of the United States for the manufacture or furnishing of materials, supplies,

articles, or equipment. The act establishes minimum wage, maximum hours, and safety and health standards for work on such contracts, and prohibits the employment on contract work of convict labor

(unless certain conditions are met) and children under 16 years of age. The employment of homeworkers

(except homeworkers with disabilities employed under the provisions of Regulations, 29 CFR Part 525) on

In addition to its coverage of prime contractors, the act under certain circumstances applies to

secondary contractors performing work under contracts awarded by the Government prime contractor.

All provisions of the act except the safety and health requirements are administered by the Wage and

Minimum Wage — Covered employees must currently be paid not less than the Federal minimum

Overtime — Covered workers must be paid at least one and one-half times their basic rate of pay for all

hours worked in excess of 40 a week. Overtime is due on the basis of the total hours spent in all work,

Government and non-Government, performed by the employee in any week in which covered work

Child Labor — Employers may protect themselves against unintentional child labor violations by

Safety and Health — No covered work may be performed in plants, factories, buildings, or surroundings

or under work conditions that are unsanitary or hazardous or dangerous to the health and safety of the

employees engaged in the performance of the contract. The safety and health provisions of the Walsh

Healey Public Contracts Act are administered by the Occupational Safety and Health Administration.

Posting — During the period that covered work is being performed on a contract subject to the

act, the contractor must post copies of Notice to Employees Working on Government Contracts in a

sufficient number of places to permit employees to observe a copy on the way to or from their place

Responsibility for Secondary Contractors — Prime contractors are liable for violations of the act

**General Provisions** — The Service Contract Act applies to every contract entered into by the United States

or the District of Columbia, the principal purpose of which is to furnish services in the United States through

the use of service employees. Contractors and subcontractors performing on such Federal contracts must

observe minimum wage and safety and health standards, and must maintain certain records, unless a

Vages and Fringe Benefits — Every service employee performing any of the Government contract

wage established in section 6(a)(1) of the Fair Labor Standards Act.

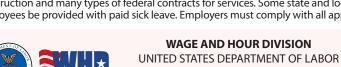
committed by their covered secondary contractors.

obtaining certificates of age. State employment or age certificates are acceptable.

**ENFORCEMENT** The Wage and Hour Division (WHD), which is responsible for making sure employers comply with Executive Order 13706, has offices across the country. WHD can answer questions, in person or by telephone, about your workplace rights and protections. WHD can investigate employers and recover wages to which workers may be entitled. All services are free and confidential. If you are

about the paid sick leave requirements is available at www.dol.gov/whd/govcontracts/eo13706

**DDITIONAL INFORMATION** Executive Order 13/06 applies to new contracts and replacements to expiring contracts with the Federal Government starting January 1, 2017. It applies to federal contracts for construction and many types of federal contracts for services. Some state and local laws also require that employees be provided with paid sick leave. Employers must comply with all applicable requirements





WH1090 REV 09/16

#### **E-VERIFY** EVerify

#### This Organization Participates in E-Verify This employer participates in E-Verify and will provide the federal government

with your Form I-9 information to confirm that you are authorized to work in the U.S. If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer

can take any action against you, including terminating your employment. Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

**E-Verify Works for Everyone** For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

The E-Verify logo and mark are registered trademarks of Department of Homeland Security

empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo. Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9. **E-Verify Funciona Para Todos** 

Esta organización participa en E-Verify

Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está

Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda

requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de

Written complaints may be filed by fax, electronic communication, hand delivery during business

The date of the postmark, fax, electronic communication, telephone call, hand delivery, delivery to a

To contact an OSHA area office, employees should call 1-800-321-OSHA (6742) to be connected to the closest area office or visit www.osha.gov/html/RAmap.html to find local OSHA office address and

When OSHA receives a complaint, OSHA will first review it to determine whether certain basic

requirements are met, such as whether the complaint was filed on time. If so, the complaint will be

investigated in order to determine whether the employer retaliated against the employee for engaging

in activity protected under one of OSHA's whistleblower laws. OSHA may also attempt to assist the

Private-sector employees throughout the United States and its territories and employees of the United

States Postal Service (USPS) who suffer retaliation because of occupational safety or health activity are

covered by section 11(c) of the OSH Act. In addition, private-sector employees are also covered by laws in States which operate their own comprehensive occupational safety and health programs approved

by Federal OSHA ("State Plans"). For information on the whistleblower provisions of the 22 State Plan

With the exception of employees of the USPS, public-sector employees (those employed as municipal,

county, state, territorial, or federal workers) are not covered by the OSH Act. State and local government

employees are covered by the whistleblower provisions of all the States with State Plans, including six

A federal employee who is not a USPS employee who wishes to file a complaint alleging retaliation due

to disclosure of a substantial and specific danger to public health or safety or involving a violation of

an occupational safety or health standard or regulation should contact the Office of Special Counsel (www.osc.gov). Such federal employees are also covered by their own agency's procedures for

Public-sector employees who are unsure whether they are covered under a whistleblower law should

If OSHA determines that retaliation in violation of the OSH Act, Asbestos Hazard Emergency Response Act,

or the International Safe Container Act has occurred, the Secretary of Labor may sue in federal district

court to obtain relief. If OSHA determines that no retaliation has occurred, it will dismiss the complaint.

Under the remaining whistleblower laws, if the evidence supports an employee's complaint of

retaliation, OSHA will issue an order requiring the employer, as appropriate, to put the employee back to work, pay lost wages, and provide other possible relief. If the evidence does not support the

employee's complaint, OSHA will dismiss the complaint. After OSHA issues a decision, the employer

and/or the employee may request a full hearing before an administrative law judge of the Department

hours, U.S. mail (confirmation services recommended), or other third-party commercial carrier.

third-party commercial carrier, or in-person filing at an OSHA office is considered the date filed.

To file a complaint electronically, please visit: www.osha.gov/whistleblower/WBComplaint.html.

Para más información sobre E-Verify, o si usted cree que su emplead or ha violado sus responsabilidades de E-Verify, por favor contacte a DHS. 888-897-7781 dhs.gov/e-verify

## WHISTLEBLOWER RIGHTS

# **OSHA** Fact Sheet

OSHA's Whistleblower Protection Program OSHA's Whistleblower Protection Program enforces the provisions of more than 20 federal laws protecting employees from retaliation for, among other things, raising or reporting concerns about hazards or violations of various workplace safety and health, aviation safety, commercial motor carrier, consumer product, environmental, financial reform, food safety, health insurance reform, motor vehicle safety, nuclear, pipeline, public transportation agency, railroad, maritime, and securities laws. Employees who believe that they have experienced retaliation in violation of one of these laws may file a complaint with OSHA. Whistleblower Laws Enforced by OSHA written complaint to the closest OSHA office, or filing a complaint online. No particular form is required

and complaints may be submitted in any language

employer and employee in reaching a settlement of the case.

States which cover private-sector employees, visit www.osha.gov/dcsp/osp.

call 1-800-321-OSHA (6742) for assistance, or visit www.whistleblowers.gov

Following is a list of statutes over which OSHA has jurisdiction. Each statute has a different time frame in which a complaint can be filed. Asbestos Hazard Emergency Response Act (90 days) Clean Air Act (30 days)

Comprehensive Environmental Response, Compensation and Liability Act (30 days) Consumer Financial Protection Act of 2010 (180 days) Consumer Product Safety Improvement Act (180 days)

 Energy Reorganization Act (180 days) Federal Railroad Safety Act (180 days)

dhs.gov/e-verify

 Federal Water Pollution Control Act (30 days) International Safe Container Act (60 days)

 Moving Ahead for Progress in the 21st Century Act (motor vehicle safety) (180 days) National Transit Systems Security Act (180 days) Occupational Safety and Health Act (OSH Act) (30 days)

Pipeline Safety Improvement Act (180 days) Safe Drinking Water Act (30 days) Sarbanes-Oxley Act (180 days)

Seaman's Protection Act (180 days) Section 402 of the FDA Food Safety Modernization Act (180 days)

Section 1558 of the Affordable Care Act (180 days) Solid Waste Disposal Act (30 days) Surface Transportation Assistance Act (180 days)

Toxic Substances Control Act (30 days) Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (90 days)

Retaliation is an adverse action against an employee because of activity protected by one of these whistleblower laws. Retaliation can include several types of actions, such as:

Blacklisting

Demoting Denying overtime or promotion

 Disciplining Denving benefits

Failing to hire or rehire

Reassignment affecting promotion prospects Reducing pay or hours

Making threats

Employees who believe that their employers retaliated against them because they engaged in

protected activity should contact OSHA as soon as possible because they must file any complaint An employee can file a complaint with OSHA by visiting or calling his or her local OSHA office, sending a

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of

of Labor. The administrative law judge's decision may be appealed to the Department's Administrative Under some of the laws, an employee may file the retaliation complaint in federal district court if the Department has not issued a final decision within a specified number of days (180, 210 or 365 depending on the law). To Get Further Information



# **EEOC - U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

# **EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship. **DISABILITY** Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge,

barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as

information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members. **RETALIATION** All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing

employees from discrimination based on genetic information in hiring, promotion, discharge, pay,

fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts

employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic

charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as

amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative

action to recruit, employ, and advance in employment, disabled veterans, recently separated

veterans (i.e., within three years of discharge or release from active duty), active duty wartime or

RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination,

participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal

laws. Any person who believes a contractor has violated its nondiscrimination or affirmative

action obligations under the authorities above should contact immediately: The Office of Federal

#### **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS** Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. PAY SECRECY Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the

compensation of other applicants or employees.

pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take

Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor. If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which

all levels of employment, including the executive level.

campaign badge veterans, or Armed Forces service medal veterans.

Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

To obtain more information on whistleblower laws, go to www.whistleblowers.gov. compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals

pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee,

pay, fringe benefits, job training, classification, referral, and other aspects of employment. amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, affirmative action to employ and advance in employment qualified individuals with disabilities at

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964. as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance

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receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.